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28

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 ADRIAN MONGELI, Individually, And)
 19 On Behalf Of All Others Similarly Situated,)

20 Plaintiff,) **CASE NO.: 3-06-CV-03936 CW**

21 vs.) **CLASS ACTION**

22 TERAYON COMMUNICATION)
 23 SYSTEMS, INC., ZAKI RAKIB, JERRY)
 24 D. CHASE, MARK A. RICHMAN,)
 25 EDWARD LOPEZ, RAY FRITZ, CAROL)
 26 LUSTENADER, MATTHEW MILLER,)
 27 SHLOMO RAKIB, DOUG SABELLA,)
 28 CHRISTOPHER SCHAEPE, MARK)
 29 SLAVEN, LEWIS SOLOMON, HOWARD)
 30 W. SPEAKS, ARTHUR T. TAYLOR,)
 31 DAVID WOODROW, and ERNST &)
 32 YOUNG, LLP)

33 Defendants.) **DECLARATION OF MICHAEL D.**
 34 **BRAUN IN SUPPORT OF PLAINTIFF'S**
 35 **UNOPPOSED MOTION FOR**
 36 **ADMINISTRATIVE RELIEF TO FILE A**
 37 **BRIEF IN EXCESS OF THE PAGE LIMIT**
 38 **SET FORTH BY L.R. 7-2 and 7-4**

1 I, Michael D. Braun declare as follows:

2 1. I am a principal with the Braun Law Group, P.C., Liaison Counsel for Plaintiff and
3 the Class. I am a member of the California Bar and am admitted to practice in this District.

4 2. I submit this Declaration in Support of Plaintiff's Unopposed Motion for

5 Administrative Relief to File a Brief in Excess of the Page Limit Set Forth by L.R. 7-2 and 7-4.

6 3. On August 27, 2008, Paul Balanon, counsel for Plaintiff's contacted Jennie Feldman
7 (counsel for Terayon and Individual Defendants) and John Hemann (counsel for Ernst & Young) to
8 inform them of Plaintiff's intention to file a motion for administrative relief seeking leave to file a
9 single oversized brief.

10 4. Subsequent to that conversation, both Ms. Feldman and Mr. Hemann represented that
11 Defendants would not oppose Plaintiff's motion.

12
13 I declare under penalty of perjury under the laws of the United states that the foregoing is
14 true and correct.

15 Executed on this 28th day of August, 2008.

16
17 /S/ Michael D. Braun
18 MICHAEL D. BRAUN
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PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES)ss..

4 I am employed in the county of Los Angeles, State of California, I am over the age of 18 and
5 not a party to the within action; my business address is 12304 Santa Monica Boulevard, Suite 109,
Los Angeles, California 90025.

6 On August 28, 2008, using the Northern District of California's Electronic Case Filing
7 System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s)
described as:

**DECLARATION OF MICHAEL D. BRAUN IN SUPPORT OF PLAINTIFF'S UNOPPOSED
MOTION FOR ADMINISTRATIVE RELIEF TO FILE A BRIEF IN EXCESS OF THE
PAGE LIMIT SET FORTH BY L.R. 7-2 and 7-4**

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

12 Lionel Z. Glancy, Esq. info@glancylaw.com
13 Michael M. Goldberg, Esq. info@glancylaw.com
14 Maya Saxena, Esq. msaxena@saxenawhite.com
15 Kim E. Miller, Esq. kim.miller@kgscounsel.com

Counsel for Plaintiffs

17 Patrick Edward Gibbs, Esq. patrick.gibbs@lw.com
18 zoila.aurora@lw.com

8 | Counsel for Defendant

Terayon Communications Systems, Inc. and Individual Defendants

Sheila Anil Jambekar, Esq. sjambekar@morganlewis.com

John Henry Hemann, Esq. jhemann@morganlewis.com

Michael John Lawson, Esq.

michael.lawson@morganlewis.com

23 | Counsel for Defendant Ernst & Young LLP

24 On August 27, 2008, I served the document described as:

25 **DECLARATION OF MICHAEL D. BRAUN IN SUPPORT OF PLAINTIFF'S UNOPPOSED**
26 **MOTION FOR ADMINISTRATIVE RELIEF TO FILE A BRIEF IN EXCESS OF THE**
27 **PAGE LIMIT SET FORTH BY L.R. 7-2 and 7-4**

27 by placing a true copy(ies) thereof in a sealed envelope(s) addressed as follows:

1 Bruce M. Cormier, Esq.
2 Joel E. Bonner, Esq.
2 ERNST & YOUNG LLP
3 1225 Connecticut Avenue, NW
3 Washington, D.C. 20036
4 Tel: (202) 327-7603
4 Fax: (202) 327-7601

5 | Counsel for Defendant Ernst & Young LLP

6 I served the document(s):

7 BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid. I am
8 familiar with the firm's practice of collection and processing correspondence for mailing. Under
9 that practice it would be deposited with U.S. postal service on that same day with postage thereon
fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage meter
date is more than one day after date of deposit for mailing in an affidavit.

10 I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-
11 listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the
following electronic mail address provided by the Securities Class Action Clearinghouse:

12 || scac@law.stanford.edu

13 I am employed in the office of a member of the bar of this Court at whose direction the service was made.

15 I declare under penalty of perjury under the laws of the United States that the above is true
and correct.

16 Executed on August 28, 2008, at Los Angeles, California 90025.

/S/ LEITZA MOLINAR
Leitza Molinar